In the Supreme Court of the United States

No. 253

OCTOBER TERM, 1962

THERESA CHIANTI, et al.,

Plaintiff-Appellant

vs.

THE CITY OF CLEVELAND, et al.,

Defendants-Appellees

APPEAL FROM THE SUPREME COURT OF OHIO AND FROM THE COURT OF APPEALS OF CUYAHOGA COUNTY, OHIO

APPENDIX TO APPELLANT'S BRIEF IN OPPOSITION TO MOTION TO DISMISS

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APPENDIX TO APPELLANT'S BRIEF IN OPPOSITION TO MOTION TO DISMISS.

Further review of the defendants-appellees' Motion to Dismiss Appeal, and, particularly, a review of Page 8 thereof, has impelled the submission of this appendix.

The statement that there were "negotiations between the appellant and her sons and the City" prior to the filing of the appropriation action is not true.

No such "negotiations" whatsoever were had.

The appellant and her sons flatly refused to enter into any such negotiations and resisted all proceedings directed to ultimately taking plaintiff's property. They have taken this position up to the present date for the sole and only reason that the attempted taking of plaintiff's property and the proceedings followed by the appellees in their attempt to do so were violative of plaintiff's constitutional rights—as fully outlined in her Jurisdictional Statement herein.

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